

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 27-36, 58-73 are pending in the application, with claims 27 and 28 being the independent claims. Claims 1-26, 33, and 37-57 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claim 37 has been rewritten as new claims 59 and 60. New claims 58-73 are sought to be added. Support for amended claims 27 and 28 can be found throughout the specification, especially at page 15, lines 3-5; at page 17, lines 8-17; at page 19, line 18-page 20, line 7; at page 28, line12-page 29, line 9; at page 29, lines 12-13; at page 30, line 22-page 31, line 19, and at page 56, lines 11-13. Support for new claims 58 and 61 can be found, *inter alia*, at page 28, line14-page 29, line 9 and in claim 27 as originally filed. Support for new claims 59 and 60 can be found, *inter alia*, at page 50, line 30-page 52, line 21, and at claim 37 as originally filed. Support for new claims 62 and 63 can be found, *inter alia*, at page 15, lines 3-5; at page 17, lines 8-17; at page 19, line 18-page 20, line 7; at page 28, line9-page 29, line 9; at page 29, lines 12-13; at page 30, line 22-page 31, line 19, and at page 56, lines 11-13. Support for new claims 64-71 can be found, *inter alia*, at page 28, lines 12-13. Support for new claims 72 and 73 can be found, *inter alia*, at page 28, line12-page 29, line 9; and at page 57, line 3-page 58, line 13. The specification has also been amended to include sequence identifiers where appropriate, to correct typographical errors, and to update the registration status of trademarks. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Applicants respectfully request that Examiner replace the two copies of the written Sequence Listing, submitted on compact disc in accordance with 37 C.F.R. § 1.821(c) filed on October 25, 2001, with the two substitute copies of the written Sequence Listing submitted herewith on compact disc in accordance with 37 C.F.R. § 1.821(c). The required duplicate copies of the written form on compact disc are labeled "Copy 1 Replacement 05/11/2004" and "Copy 2 Replacement 05/11/2004". The computer readable form of the Substitute Sequence Listing is also submitted on compact disc, labeled "Computer Readable Format".

The computer readable form compact disc and the compact discs containing the written Sequence Listing are formatted for IBM-PC, Windows XP, ASCII DOS text. Each disc contains one file: Sequence Listing 2060_0320003.txt, 149,504 bytes, created on May 10, 2004 containing the above named sequences, SEQ ID NOS:1-382.

In compliance with 37 C.F.R. § 1.52(e)(4) the duplicate copies of the written form on compact disc and the computer readable form of the Substitute Sequence Listing on compact disc are identical, *i.e.*, "Copy 1 Replacement 05/11/2004" and "Copy 2 Replacement 05/11/2004" are identical, and the sequence information recorded in computer readable form on compact disc, *i.e.*, "Computer Readable Format" is identical to the written (on compact disc) Substitute Sequence Listing.

In compliance with 37 C.F.R. § 1.52(e)(4) the replacement compact disc contains no new matter.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 27-37 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Not in acquiescence to the rejection, but rather solely to advance prosecution, Applicants have amended the claims to define abbreviations that do not have a generic meaning, remove confusing language, and clarify the wording of the claims. In particular, for example, independent claims 27 and 28 have been amended to better reflect that the as-claimed invention is a method of designing an optimized multi-epitope polypeptide, which can occur using a computer, by performing mental steps with epitope sequence information, etc. Applicants have also rewritten claim 37 as new claims 59 and 60 for added clarity. Therefore, Applicants believe that the rejection has been rendered moot and respectfully request reconsideration and removal of the rejection.

Other Matters

Applicants have amended Figures 11A and 13A to amend the listed sequence identifiers and have also amended Figures 19A-19E to clarify the corresponding sequence identifier for each sequence. A copy of all the drawings from the immediate prior version are included herein.

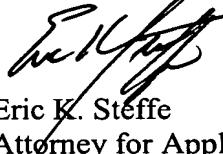
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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